IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION No. 5904 of 2005**

Between:

1 R.Bikshapathy, S/o. Lingaiah,
Yellareddygudem (P), Narketpally(M), Nalgonda District.
2 V.Mallaiah, S/o. Narsimha,
Yellareddygudem (P), Narketpally(M), Nalgonda District.

**.... PETITIONERS**

AND

1 The Regional Manager, APSTRC, Nalgonda Region,
Nalgonda District.
2 The Depot Manger, APSRTC, Narketpally Bus Depot,
Nalgonda Distrtict.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not granting the Special Grade/Stagnation Increment to the petitioners with effect from their completion of 12 years of service in A.P.S.R.T.C. in total (All Regions) and counting the present regions services of 12 years of 12 Stagnation Increment/Special Grade increments is arbitrary, illgal, unjust and contrary to the circulars and consequently direct the respondents of effect the 12 years Stagnation Increment/Special Grade to the petitioners on their completion of 12 years of service in the all the regions of the Corporation and pass such further other order or orders.

**Counsel for the Petitioner: MR.G.RAVI MOHAN**

**Counsel for the Respondent Nos.1 and 2: MR.V.T.M.PRASAD (S.C.FOR APSRTC)**

**The Court at the admission stage made the following:**

**ORDER:**

For not granting stagnation increment the present writ petition is filed.

According to the writ petitioners, they have completed 12 years of service in the respondent Corporation, and therefore, they are entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to them, the present writ petition is filed.

The learned counsel for the petitioners contended that the total service rendered by the petitioners in the Respondent Corporation has to be taken into consideration for granting stagnation increment/Special Grade.

On the other hand, the learned standing Counsel for the respondents contended that as the petitioners have not completed 12 years of service in a particular region, they are not entitled for such benefits.

This Court in W.A.No.1301 of 2000, dated 29.10.2002 held that it is the total service rendered by the petitioner in the respondent Corporation that counts, but not in the division or region. Following the above judgment, the total service of the petitioners has to be taken into consideration in granting stagnation increment/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioners for granting stagnation/Special Grade increment, considering the total service rendered by them in the Corporation, within a period of 2 (two) months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 22.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Regional Manager, APSRTC,

Nalgonda Region, Nalgonda District

2. The Depot Manager, APSRTC,

Marketpally Bus Depot, Nalgonda District

3. Two CD copies

*Form-NIC-OGS/WP{**BJPR**}*